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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/596,756	06/23/2006	Bennie Josephus De Maagt	NL040001US1	1204

24737 7590 03/18/2009
PHILIPS INTELLECTUAL PROPERTY & STANDARDS
P.O. BOX 3001
BRIARCLIFF MANOR, NY 10510

EXAMINER

BOWMAN, MARY ELLEN

ART UNIT	PAPER NUMBER
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2879

MAIL DATE	DELIVERY MODE
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03/18/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Response to Arguments

Applicant's arguments filed March 5, 2009, in response to the Final Rejection sent January 14, 2009, are not persuasive, and therefore the Final Rejection is maintained. The amendments are entered for the purpose of correcting a typographical error.

Regarding Applicant's first argument, namely that there is no reason to modify the teaching of Toia with the teachings of Nagasawa and Deguchi, is not persuasive. Toia teaches the use of a getter to remove impurities from gasses in discharge lamps. Although Toia specifically refers to fluorescent lamps, Toia also explains that there are several applications in which a getter is useful for removing impurities from gasses within lighting devices. Therefore, considering that Nagasawa teaches a discharge lamp using an ionizable gas filling, there is proper motivation to combine the two references.

Further, regarding Applicant's second argument, Examiner's position is that the claim language requires only that the getter be within the outer envelope. Therefore, the getter may be within the discharge vessel, which is within the outer envelope. Nagasawa teaches the discharge vessel is a sealed container (col 3, lines 19-20), and therefore the motivation exists to provide a getter therein to maintain the proper atmosphere within the sealed container and remove any impurities that may impair the discharge of the lamp.